FARAD CONTINUATION SHEET.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR.

WRIT PETITION NO.5039/2005

M/s Neelkamal Enterprises, Amravati and others

...Versus...

The State of Maharashtra and another

Office Notes, office Memoranda of Coram appearances, Court's orders or directions and Registrar's order.	Court's or Judge's order

CORAM: **B.P. DHARMADHIKARI, J.**
DATED : **19.12.2005.**

1. Heard Advocate Shri B.N. Mohta for petitioner-landowner and learned A.G.P. for respondents.

2. Learned Counsel for petitioners states that stay order dated 14.7.2005 issued by Additional Collector, Amravati is without jurisdiction and the proceedings undertaken by him in revision are also without jurisdiction and not supported by any provisions of Maharashtra Land Revenue Code. He argues that land was earlier permitted to be put/converted for non-

agriculture purposes and accordingly it is already put to non-agriculture use after completing all the formalities. He states that in view of said permission the petitioner has sold the certain plots to third parties and he has also entered into agreement for some with the proposed buyers. He states that the said order passed on 14.7.2005 is thus operating to the prejudice of petitioners. He further argues that though all these facts are placed before said authority, the authority has not passed further orders in the matter.'

3. The learned A.G.P. contends that it is only an inter locutory order, which has been passed and therefore, this court should not interfere in exercise of extraordinary jurisdiction available to it. According to her the said respondent shall decide the proceedings before him as early as possible.

4. I find that the said order has been passed on 14.7.2005 and considering the nature of controversy the revision itself ought to have been disposed of on merits by now.

5. Under the circumstances, considering the

controversy respondent no.2 Additional Collector is directed to decide the revision itself on merits within a period of six weeks from today after giving parties due opportunity of hearing. All objections and grounds raised by petitioners to the exercise of jurisdiction by respondent no.2 in the matter are kept upon for consideration of said authority.

6. With the above direction, writ petition is disposed of. No costs. C.C. expedited.

JUDGE

SSW